

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF PENNSYLVANIA (PHILADELPHIA)**

DAVID NUYANNES	:	Docket No. 11-4478
	:	
Plaintiff,	:	
	:	
v.	:	
	:	
PENNSYLVANIA STATE POLICE, et al.	:	
	:	
Defendants.	:	JURY TRIAL DEMANDED

ORDER

AND NOW this _____ day of _____, 2012, upon consideration of Counsel for Plaintiff's Motion for Leave to Withdraw as Counsel, and any response thereto, it is hereby ORDERED and DECREED that Counsel's Motion is GRANTED, and the Clerk shall mark counsel's representation TERMINATED.

This action is stayed thirty (30) days from the date of entry of this Order within which Plaintiff must enter his substitute counsel's appearance or his own, *pro se*, or risk this matter being dismissed for lack of prosecution.

AND IT IS SO ORDERED.

Ronald L. Buckwalter, J.

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	:	
Defendants.	:	JURY TRIAL DEMANDED

COUNSEL FOR PLAINTIFF’S MOTION FOR LEAVE TO WITHDRAW AS COUNSEL

Pending before this Honorable Court is the above-captioned civil rights action as well as a separate legal malpractice action captioned Nuyannes v. Thompson.

Both actions were initiated by Plaintiff, *pro se*, whereafter the undersigned entered his appearance on behalf of Plaintiff.

In the legal malpractice action, Plaintiff through the undersigned counsel has responded to Defendants’ Motions to Dismiss – pending. However, in this civil rights action, the undersigned seeks leave to withdraw: after exhaustive investigation, the undersigned does not believe this action can be prosecuted consistent with FRCP 11 for reasons subject to the attorney-client privilege.

Under separate cover, Plaintiff has been advised (subject to attorney-client privilege) of the undersigned’s instant Motion for Leave to Withdraw and of his obligation to immediately seek substitute counsel or enter his appearance, *pro se*, in the event this Motion is granted. This Motion has also been served upon Plaintiff.

To be clear, the undersigned will be representing Plaintiff ongoing in his legal malpractice action, but requests this Honorable Court's leave to withdraw from the above-captioned civil rights action. RPC 1.16(a)(1) & (b)(1), (4), (6), and (7).

WHEREFORE, counsel for Plaintiff requests this Honorable Court's leave to withdraw as counsel herein consistent with the attached proposed Order.

WEISBERG LAW, P.C.

/s/ Matthew B. Weisberg
Matthew B. Weisberg, Esquire
Attorney for Plaintiff

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CERTIFICATE OF SERVICE

I, Matthew B. Weisberg, Esquire, hereby certify that on this 27th day of March, 2012, a true and correct copy of the foregoing Counsel for Plaintiff's Motion for Leave to Withdraw as Counsel was served via regular mail, upon the following parties:

Mr. David Nuyannes
1435 Kylyn Drive
Wilmington, DE 19809

Pennsylvania State Police
1342 West Baltimore Pike
Media, PA 19063

Gerard McShea
1342 West Baltimore Pike
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Judge James P. Bradley
201 West Front Street
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Michael Tsung
1342 West Baltimore Pike
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Louis Marcozzi, Constable
Middletown Township
469 S. Old Middletown Road
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1342 West Baltimore Pike
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G. Michael Greene, District Attorney
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WEISBERG LAW, P.C.

/s/ Matthew B. Weisberg
Matthew B. Weisberg, Esquire
Attorney for Plaintiff